

PROCLAMATION

BY THE

Governor of the State of Texas

41-1818

TO ALL TO WHOM THESE PRESENTS SHALL COME:

June 17, 1981

Pursuant to Article IV, Section 14 of the Constitution of Texas, I herewith veto House Bill 2123 for the following reasons:

Apparently the purpose of this bill is to severely restrict certain persons or groups from influencing the State Depository Board by either 1) making campaign contributions to the member of the board, or 2) granting something of value to the members for the advancement of their office activities.

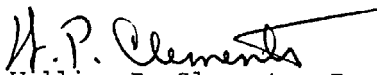
This presents serious constitutional problems by denying incumbent board members equal access to campaign contributions with the challenger. It can be argued this violates the Equal Protection Clause of the Fourteenth Amendment, and the Freedom of Speech Clause of the First Amendment.

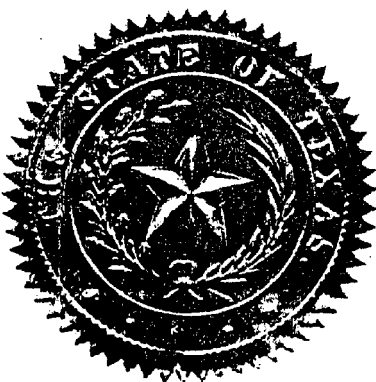
If there were shown to be undue influence to members of the State Depository Board, then the present bribery statutes would come into play.

This act discriminates in favor of the challenger. It states that specific contributors can't express themselves by contributing to the campaign of an incumbent but it also mandates that the challenger have the advantage to advocate his views over the incumbent. Neither of these aspects have ever been permitted by any interpretation of the Constitution.

Laws are enacted to regulate activities in need of guidance. This act has established no need for such guidance, and established a type of regulation which infringes upon the right of Texans to participate in the political process. If such a policy is needed, it must follow a form which is more specific in application and applies to all potential candidates and officeholders. Therefore, I veto House Bill 2123.

Respectfully,


William P. Clements, Jr.
Governor



Filed in the Office of
Secretary of State

JUN 18 1981

Statutory Documents Div.